**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929**

**WP(C).No. 26831 of 2007(T)**
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**PETITIONER:**
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**A.M.RAJAN, S/O.MATHEW, AGED 65 YEARS,**
**ATTACHIRA HOUSE, SACHIVOTHAMAPURAM P.O.,**
**KURICHI, KOTTAYAM DISTRICT.**

**BY ADV. SRI.C.A.CHACKO**
**SMT.C.M.CHARISMA**
**SRI.N.A.SHAFEEK**

**RESPONDENTS:**
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**1. KOTTAYAM DISTRICT CO.OPERATIVE BANK LTD**
**KURICHI BRANCH, REP. BY ITS BRANCH MANAGER.**

**2. THE ASST.REGISTRAR OF CO.OPERATIVE**
**SOCIETIES, (ARBITRATOR CUM SPECIAL SALE OFFICER),**
**KOTTAYAM DISTRICT CO.OPERATIVE BANK LTD.,**
**KOTTAYAM.**

**3. AUTHORIZED OFFICER,**
**KOTTAYAM DISTRICT CO.OPERATIVE BANK LTD.,**
**HEAD OFFICE, KOTTAYAM.**

**R1 & R3 BY ADV. SRI.T.R.HARIKUMAR**

**R2 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 26831 OF 2007 T**

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**Dated this the 11th September, 2007**

**JUDGMENT**

Petitioner availed a loan. It was not repaid. Proceedings under the Securitisation And Reconstruction of Financial Assets And Enforcement of Security Interest Act, 2002 have been taken. Petitioner challenges Ext.P2 and seeks permission to pay the actual balance amount due in sufficient instalments. Heard Shri T. R. Harikumar, learned standing counsel appearing for the respondent Bank also. He submits that the amount due as on 24.9.2007 is Rs.5,57,069/=. The Writ Petition is disposed of as follows:

The petitioner shall pay a sum of Rs. 1 Lakh (Rupees One Lakh) within one week from today. The respondent Bank will serve a Statement on the petitioner within two weeks from today showing the remaining amount payable by the petitioner on the basis that the petitioner has to pay the remaining amount in six equal monthly instalments. The first instalment shall be paid on

or before 15.10.2007 and the remaining instalments on or before the 15th of every succeeding month. If the petitioner fails to pay Rs.1 Lakh within one week from today or any of the instalments as aforesaid, petitioner will lose the benefit of this Judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law.

**K. M. JOSEPH, JUDGE**

**kbk.**